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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 UNITED STATES OF AMERICA, ) CASE NO. 09-349 MJP  
09 Plaintiff, )  
10 v. )  
11 JUAN GONZALEZ-GUERRA, ) DETENTION ORDER  
12 Defendant. )  
13 \_\_\_\_\_ )

14 Offense charged: Conspiracy to Smuggle, Transport and Harbor Illegal Aliens; Harboring  
15 of an Illegal Alien, Allegations of Forfeiture

16 Date of Detention Hearing: October 13, 2009

17 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
18 based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
19 that no condition or combination of conditions which defendant can meet will reasonably assure  
20 the appearance of defendant as required and the safety of other persons and the community.

21 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

22 (1) Defendant is a native and citizen of Mexico. He has lived in the United States for

01 many years, but also has family in Mexico, who he visits every few years.

02       (2)     The nature of the instant charges involve allegations of smuggling undocumented  
03 Mexican nationals into the United States and compelling the individuals to work in order to repay  
04 the debts allegedly incurred in the course of the transport. The conspiracy involves threats of  
05 physical violence and retaliation. The Assistant United States Attorney proffered some details  
06 of alleged threats. Further, this defendant is charged in state court with child molestation  
07 allegedly committed against one of the smuggled juveniles.

08       (3)     The defendant poses a risk of nonappearance due to the nature of the instant  
09 offense, his status on pretrial release from state court, and ties to Mexico. The defendant poses  
10 a risk of danger due to allegations of child molestation.

11       (4)     There does not appear to be any condition or combination of conditions that will  
12 reasonably assure the defendant's appearance at future Court hearings while addressing the  
13 danger to other persons or the community.

14 It is therefore ORDERED:

15       (1)     Defendant shall be detained pending trial and committed to the custody of the  
16 Attorney General for confinement in a correction facility separate, to the extent  
17 practicable, from persons awaiting or serving sentences or being held in custody  
18 pending appeal;

19       (2)     Defendant shall be afforded reasonable opportunity for private consultation with  
20 counsel;

21       (3)     On order of a court of the United States or on request of an attorney for the  
22 Government, the person in charge of the corrections facility in which defendant

01 is confined shall deliver the defendant to a United States Marshal for the purpose  
02 of an appearance in connection with a court proceeding; and

- 03 (4) The clerk shall direct copies of this Order to counsel for the United States, to  
04 counsel for the defendant, to the United States Marshal, and to the United States  
05 Pretrial Services Officer.

06 DATED this 13th day of October, 2009.

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08 Mary Alice Theiler  
09 United States Magistrate Judge